

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:11 CR 101
)	
Petitioner,)	
)	
v.)	JUDGE DONALD C. NUGENT
)	
EDWARD CAMPBELL, III,)	MEMORANDUM OPINION
)	AND ORDER
Respondent.)	

This matter is before the Court on Defendant, Edward Campbell's Motion for Bond (ECF #411). The Government filed a response in opposition to Mr. Campbell's Motion (#430), and the Court held a hearing on the matter on April 4, 2012.

Mr. Campbell had his initial Detention Hearing before Magistrate Judge George J. Limbert on March 24, 2011. Following that initial hearing, Magistrate Judge Limbert found that the Defendant had not rebutted the presumption against pre-trial release, and that no condition or combination of conditions would reasonably assure the appearance of the defendant for future proceedings, or the safety of the community. Specifically Magistrate Limbert found by clear and convincing evidence that Mr. Campbell constitutes a risk of flight or nonappearance and a danger to the community because he is facing a lengthy sentence; he failed to appear for a state court proceeding in the Mahoning County Court of Common Pleas; he posted a picture of himself on MySpace.com making LSP gang hand signs; and the current charges allege that he participated in

an enterprise which was involved in numerous illegal and violent activities, including murder, attempted murder, felonious assault, drug trafficking, witness intimidation, robbery, firearm trafficking, theft, receiving stolen property, carjacking, breaking and entering, and burglary, and that he personally was involved in the regular sale of crack cocaine and marijuana. (ECF #89). In addition, as set forth by the government at the most recent hearing, Mr. Campbell allegedly committed some of the offenses alleged in this case which he was under supervision from the Mahoning County Department of Probation.

The Defendant seeks reconsideration of his detention order based on the length of his pre-trial incarceration, and his alleged inability to effectively assist in the preparation of his case for trial. He also offers letters of support from his family and community members and evidence of his attempts to further his education. Defendant does not cite any change of circumstance or new evidence that was not available at the time of his original hearing that would support a reconsideration of his current detention.

The Court is cognizant that Mr. Campbell has been in custody for an extended period of time while this case has been proceeding, however, the trial date is closely approaching and is currently set for June 6th, 2012. More importantly, however, he has failed to present any new evidence that would undermine the initial determination that detention is appropriate in this case. Although the Defendant has established that he has family support, this information was available at his initial hearing. The relative strength of the evidence against him is not an issue that can be determined at this stage of the proceedings, and the charges remain serious, with the possibility of a lengthy sentence if he were to be convicted.

None of the arguments presented constitutes new evidence that would alter the analysis performed by Magistrate Limbert, nor is there sufficient evidence to rebut the presumption against pre-trial release. Mr. Campbell's Motion for Bond is, therefore, DENIED. **IT IS SO ORDERED**


DONALD C. NUGENT
United States District Judge

DATED: April 10, 2012